87-202-H CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Date of Posting Morember 5, 1986 Date of return: November 14 1986

BEFORE THE IN RE: PETITION FOR ZONING VARIANCE NW/S of Bellona Avenue, 530' DEPUTY ZONING COMMISSIONER W of Ridervale Road (8110 Bellona Avenue) OF BALTIMORE COUNTY 8th Election District Case No. 87-202-A Jack Carvel Henry, Sr., et ux \* Petitioners \* \* \* \* \* \* \* \* \* \* \* The Petitioners herein request a zoning variance to permit a rear yard setback of 20 feet in lieu of the required 40 feet to construct an addition. At the onset of the hearing the Petitioners requested that the Petition be amended to permit a rear yard setback of 35' in lieu of the required 40'. The request was granted. Testimony by one of the Petitioners indicated that additional habitable

space is needed to provide study and recreational area for two teen-aged young people in the family. There is no basement in the dwelling. The lot is unusually shaped and includes easements along two sides. There is a substantial hill on the north side which would make it difficult to construct an addition on that side. In fact, any addition would be almost impossible without a variance. There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, it is determined that the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 25th day of November 1986, that the herein request for a zoning variance to permit a rear yard setback of 35', in accordance with the plan Submitted and identified as Petitioner's Exhibit 1, is hereby GRANTED.

Deputy Zoning Commissioner of Baltimore County

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DESCRIPTION FOR VARIANCE 8110 BELLONA AVENUE 8TH ELECTION DISTRICT

Beginning at a point in the center of Bellona Avenue at a distance of 530 feet west of Ridervale Road and running thence N  $60^{\circ}$  13' W, 196.33 feet to the easternmost right of way of the Northern Central Railway, thence binding on said right of way southwesterly by a curved line 449.50 feet, thence leaving said right of way and running South 580 46' East, 37.33 feet to the center of Bellona Avenue and runn ng thence and binding on said centerline the five following courses and distances: North 31° 34' East, 149 feet, thence North 35°25' East, 130.00 feet, thence North 57° 24' East, 100 feet, thence North 65° 23' East, 80 feet, thence North 75° 22' East, 24.50 feet to the point of beginning.

Saving and excepting a parcel of land of irregular dimensions containing 0.277 acres of land, more or less, to be used for the widening of Bellona Avenue, as shown and indicated as "Highway Widening" on Baltimore County Bureau of Land Acquisition Drawing No. RW 73-127-1 which is the basis of the variance plat herein.

: BEFORE THE ZONING COMMISSIONER RE: PETITION FOR VARIANCE NW/S of Bellona Ave., 530' W OF BALTIMORE COUNTY of Ridervale Rd. (8110 Bellona :

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Petitioners

Ave.), 8th District JACK CARVEL HENRY, SR., et ux,

:::::::

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 8th day of October, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Jack Carvel Henry, Sr., 8110 Bellona Ave., Riderwood, MD 21139, Petitioners.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204 OFFICE OF PLANNING & ZONING

ARNOLD JABLON ZONING COMMISSIONER JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

November 25, 1986

Mr. & Mrs. Jack Carvel Henry, Sr. 8110 Bellona Avenue Towson, Maryland 21204

> RE: Petition for Zoning Variance NW/S of Bellona Avenue, 530' W of Ridervale Road 8th Election District Case No. 87-202-A

Dear Mr. & Mrs. Henry:

Enclosed please find a copy of the decision rendered on the abovereferenced Petition. Your request for a zoning variance has been granted, in accordance with the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

was now decided in a contract of the second second

Very truly yours, Deputy Zoning Commissioner

Attachments cc: People's Counsel

JMHJ:bjs

11-14-86

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PETITION FOR ZONING VARIANCE 8th Election District

Case No. 87-202-A

Northwest Side of Bellona Avenue, 530 feet West of Ridervale Road (8110 Bellona Avenue)

DATE AND TIME: Thursday, November 20, 1986, at 9:45 a.m.

Towson, Maryland

PUBLIC HEARING: Room 301, County Office Building, 111 W. Chesapeake Avenue,

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a rear yard setback of 20 feet in lieu of the required 40 feet

Being the property of Jack Carvel Henry, Sr., et ux , as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

TOWSON, MARYLAND 21204 494-3353

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

November 12, 1986

ZONING COMMISSIONER

Mr. Jack Carvel Henry, Sr. Mrs. Sara P. Menry 8110 Bellona Avenue Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE NW/S of Bellona Ave., 530' W of Ridervale Rd. (8110 Bellona Ave.) 8th Election District Jack Carvel Herry, Sr., et ux - Petitioners Case No. 87-202-A

Dear Mr. and Mrs. Henry:

This is to advise you that \$78.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

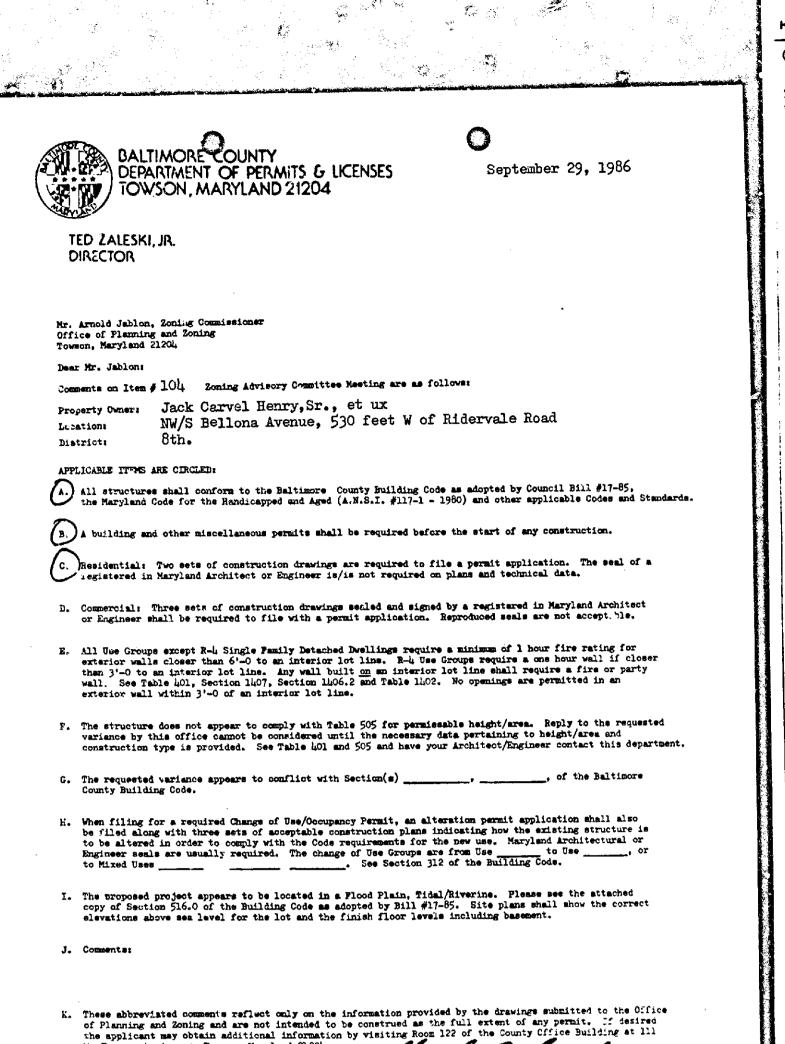
No. 025711 re County, Maryland, and remit lding, Towson, Maryland

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**(**)

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The second



October 3, 1986

NW/S of Bellona Ave., 530' W of Ridervale Rd.

Jack Carvel Henry, Sr., et ux - Petitioners

ofe County

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE

(8110 Bellona Ave.)

Case No. 87-202-A

9:45 a.m.

Avenue, Towson, Maryland

8th Election District

Thursday, November 20, 1986

No. 025955

PLACE: Room 301, County Office Building, 111 West Chesapeake

Mr. Jack Carvel Henry, Sr.

Mrs. Sara P. Henry

8110 Bellona Avenue

BALTIMORE COUNTY, MARYLAND

MISCELLANEOUS CASH RECEIPT

OFFICE OF FINANCE - REVENUE DIVISION

8 8 144 \*\*\*\*\* 35 nG: a 5118F

lowson, Maryland 21204

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K-E BALTIMORE 17 0253 PHDENIX 42 510 ALL AREAS FOUND BY PLANIMETER 2 TLANT LETTERING DENOTES PROPOSED CHANGES TO PROPERTIES. VENTIL AL LETTERING BENOTES : PATEMPORARY EASEMENT AREA TO BE USED ONLY
DURING THE PERIOD OF CONSTRUCTION FOR THE
PURPOSE OF CREATING THE NECESSARY SUPPORTING BLORES
AND ALL MIGHTS HENERY GRANTED TO BALTIM: RE COUNTY
MARYLAND SHALL THEN TERMINATE AND REVERY TO THE THIS PLAT IN COMPILED FROM DEED'S AND SHRYETS THE COURSES AND DISTANCES SHOWN ON PROPERTIES ADJUSTING THE PROPOSE'S BIGHT OF WAY ARE THOSE CONTAINED IN THE DEED REFERSED BY LIBERAND FOLIO NUMBER AND DO NOT NEED'S NEED'S AND THE MERICIAN SHOWN MEREON NOR DO THEY IM LY A CURRENT SURVEY OF SAID PROPERTIES UNLESS SO NOTED. DR 2 ZONE - 558° 46'E 3733' Public UtilitiES EXIST IN BELLONA AVENUE. DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY PLAT TO ACCOMPANY ACQUISITION OF DISTRICT NO. 8 TH SCALE: 1"= 50' SHEET | OF | POSITION SHEET NO. HIGHWAY WIDENING CONSULTING ENGINEER OR SURVEYOR Thousand Manning CONSTRUCTION PLAN NO. EXISTING COUNTY R W AREA TO BE ACQUIRED 5/18/73 ROADE ENGINEER AREA TO BE RELEASED FEDERAL PROJECT NO. BUREAU OF LAND ACQUISITION Appendelles ( Lawrence ) MARYLAND PROJECT NO. . 5-18-1978 1. DIVISION OF DRAFTING B. C. JOB ORDER NO. The same is the Ever 5-RW-654 SUPERVISOR RW 73-127-DRAWNADZWOACZIE CHECKED ON 87-202-8

NEG:JGH:slb

Bureau of Department of State Roads Commission Bureau of Fire Prevention Health Department Project Planning Building Department Board of Education Zoning Administration Industrial BUREAU OF LAND ACQUISITION BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE Arnold Jablon Date\_November 7, 1986 To Zoning Commissioner Norman E. Gerber, AICP, Director FROM Office of Planning and Zoning SUBJECT Zoning Petitions No. 87-197-A, 87-198-A, 87-200-A, 87-202-A, 87-203-A, 87-204-A, 87-214-A, 87-215-A, 87-219-A, 87-220-A, 87-222-A and 87-223-A There are no comprehensive planning factors requiring comment on these petitions.

DALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550 STEPHEN E. COLLINS DIRECTOR

October 2, 1986

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 103 A, 104; 105, 106, 108, 109, 110, 111, 112, and 114.

Traffic Engineer Associate II

MSF:1t

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211 NORMAN E. GERBER

Dear Mr. Jablon:

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave.

Chairman

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

OCTOBER 27, 1986

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Mr. Jack Carvel Henry, Sr.

pbility of the requested zoning.

scheduled accordingly.

JED:kkb

Enclosures

Towson, Maryland 21204

8110 Bellona Avenue

Dear Mr. Henry:

November 10, 1986

The Zoning Plans Advisory Committee has reviewed the plans

submitted with the above-referenced petition. The following

comments are not intended to indicate the appropriateness of

the zoning action requested, but to assure that all parties

are made aware of plans or problems with regard to the

development plans that may have a bearing on this case. The

Director of Planning may file a written report with the

Zoning Commissioner with recommendations as to the suit-

Enclosed are all comments submitted from the members of the

Committee at this time that offer or request information on

your petition. If similar comments from the remaining

members are received, I will forward them to you. Otherwise,

any comment that is not informative will be placed in the

hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing

Very truly yours,

JAMES E. DYER Chairman

ames E. Dyer / KKB

Zoning Plans Advisory Committee

RE: Item No. 104 - Case No. 87-202-A

Petition for Zoning Variance

Petitioner: Jack C. Henry, Sr., et ux

Re: Zoning Advisory Meeting of SEPTEMBER 23, 1986 Property Owner: JACK CARUELHEURY, SR. NW/S BELLONA AVE. 530 W. OF etal

RIDERVALE RD.

development on these soils is prohibited.

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The Items checked below are

> (X)There are no site planning factors requiring comment. )A County Review Group Meeting is required. )A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services. )This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract. )A record plat will be required and must be recorded prior to issuance of a building permit. )The access is not satisfactory. The circulation on this site is not satisfactory. )The parking arrangement is not satisfactory. )Parking calculations must be shown on the plan. This property contains soils which are defined as wetlands, and

under the provisions of Section 22-98 of the Development Regulations. Development of this site may constitute a potential conflict with the Baltimore County Master Plan. )The amended Development Plan was approved by the Planning Board

)Construction in or alteration of the floodplain is prohibited

)Landscaping: Must comply with Baltimore County Landscape Manual. )The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service

)The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council. Additional comments:

David Fields, Acting Chief

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

Office of Planning and Zoning

Towsor Maryland 21204

Baltimore County Office Building

September 23, 1986

PAUL H. REINCKE CHIEF Mr. Arnold Jablon Zoning Commissioner

RE: Property Owner: Jack Carvel Henry, Sr., et ux

Location: NW/S Bellona Avenue, 530' W. of Ridervale Road

Item No.: 104

Zoning Agenda: Meeting of 9/23/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "Y" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the

Fire Prevention Code prior to occupancy or beginning of operation.

( x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

' ) 6. Site plans are approved, as drawn.

) 7. The Fire Prevention Bureau has no comments, at this time.

Planning Group

Special Inspection Division

cc: James Hoswell

LIBER5244 PAGE926

ETHEL M. BUCHEIMER, of Free County, State of Maryland, party of the

first part; and SARA PICKETT HENRY, of Baltimore County, State of Maryland, party

REAL ESTATE TITLE COMPANY INCORPORATED Keyser Building Baltimore, Md. J.E xington 9-3212

App. No. 91340 TITLES INSURED Lawyer's Title Insurance Orporation Richmond Virginia

PRE SIMPLE DEED

of the second part.

This Deed, Made this

in the year one thousand nine hundred and seventy-two

JAN 21-72 243539# \*\*\*\*52.65 JAN 21-72 243539C# \*\*\*\*275C JAN 21-72 243538CB \*\*\*\*18.15 JAN 21-72 24353702 \*\*\*\*\*7.00

WITNESSETH that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said party of the first part

does grant and convey unto the said party of the secondpart, her

heirs and assigns, in fee-simple, all that lot or parcel of ground

~ 7.50 · °

situate, lying and being in

Baltimore County, State of Maryland

BEGINNING for the same in the center of Bellona Avenue at the end of the sixth line of the land described in the Deed from Harrison Rider to Dr. William G. Rider, dated August 27, 1881 and recorded among the Land Records of Baltimore County in Liber WMI No. 124 folio 265 and running thence binding in the center of said avenue the five following courses and distances viz: North 31° 34' East 149 feet, North 35° 25' East 130 feet, North 57° 24' East 100 feet North 65° 23' East 80 feet and North 75° 22' East 24.50 feet to intersect a line drawn South 60° 13' East in extension of the North 61½° West 12.7 perches line of said land, thence to and along said line North 60° 13' West 196.33 feet to the easternmost outline of the right of way of the Northern Central Railway, thence binding on the easternmost line of said Railways right of way southwesterly by a curved line 449.50 feet to intersect the sixth line of said land and thence binding on said sixth line South 58° 46' East 37.33 feet to the place of beginning. Containing 0.62 of an acre of land more or less.

BEING the same lot or parcel of ground 2ndly described in a Deed dated March 6, 1944 and recorded among the Land Records of Baltimore County in Liber RJS No. 1334 folio 228. was granted and conveyed by W. Hall Harris, Jr., Trustee, et al unto the within Grantor.

Subject to a 10 foot drainage and utility easement dated October 24, 1961 and recorded among the Land Records of Baltimore County in Liber WJR No. 3918 folio 120 between Ethel M. Bucheimer, widow, and Baltimore County, Maryland.

5 7 5

FORM D.P.W.-400 05--RW 73-127-1 District No. 8 J.O. 5-R/W-654 Account No. , in the year 19 THIS DEED, Made this day of SARA PICKETT HENRY, of Baltimore County, State of Maryland, Grantor. WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor grant and convey unto BALTIMORE COUNTY, MARYLAND, a body corporate and politic, its successors and assigns, in fee simple, for public highway purposes, all that lot of ground situate, Eighth Election District of Baltimore County, State of Marylying and being in the land, and described as follows, that is to say. BEING p parcel of land of irregular dimensions across the property of the Grantor, said parcel of land containing 0.277 acre, more or less (12,083 sq. ft., more or less), and to be used for the widening of BELLONA AVENUE, as shown shaded and indicated "HIGHWAY WIDENING" on Baltimore County Bureau of Land Acquisition Drawing No. RW 73-127-1, which is attached hereto and made a part hereof. TOGETHER with all right, title and interest of the Grantor in and to the bed of BELLONA AVENUE, as shown on the aforesaid Drawing No. RW 73-127-1, which is attached hereto and made a part hereof. BEING a portion of the property which by a Deed dated January 10, 1972 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5244. folio 926 was granted and conveyed by Ethel M. Bucheimer, to Sara Pickett Henry. TOGETHER with the appurtenances and advantages to the same belonging or TO HAVE AND TO HOLD the above granted property unto Baltimore County, Maryland. suffered to be done any act, matter or thing whatsoever, to encumber the

87-202-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this day of October 1986

Zoning Commissioner

Received by: Petitioner Jack C. Fenry Petitioner's Attorney

James E. Dyer Chairman, Zoning Plans Advisory Committee

The state of the s

## CERTIFICATE OF PUBLICATION

PETITION FOR ZONING VARIANCE 8th Election District Case No. 87-282-A LOCATION: Northwest Side of Bellons Avenue, 530 feet West of Ridervale Road (8110 Bellons Ave-DATE AND TIME: Thursday November 20, 1986, at 9:45 a.m. PUBLIC HEARING: Room 301, County Office Building, 111 W Chesapeake Avenue, Towson Maryland

The Zoning Commissioner of Balti-more County, by authority of the Zon-ing Act and Regulations of Baltimore County, will hold a public hearing: Petition for Zoning Variance to per-mit a rear yard setback of 20 feet in lieu of the required 40 feet of the required 40 feet

Being the property of Jack Carvel
Heary, Sr., et ux, as shown on plat plan
filed with the Zoning Office.

In the event that this Petition(s) is
granted, a building permit may be
issued within the thirty (30) day appeal
period. The Zoning Commissioner
will, however, entertain any request for
a stay of the issuance of said permit
during this period for good cause
shown. Such request must be received
in writing by the date of the hearing are

in writing by the date of the hearing set above or made at the hearing. By Order Of ARNOLD JABLON Zoning Commissioner of Beltimore County i@358 Oct. 30,

TOWSON, MD., THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 30 , 19 86

THE JEFFERSONIAN.

October 30

Sucan Sandy Obsect

Publisher

24.75

## CERTIFICATE OF PUBLICATION

PETITION FOR ZONING VARIANCE 6th Election District Case No. s7-202-A LOCATION: Northwest Side of Bel-tons Avenus, 539 leet West of Fidertons Avenue, 339 feet west of Priss-vale Road (8110 Belloms Avenue) DATE AND THEE: Thursday, November 20, 1986, at 9:45 a.M. Pussing 20, 1986, at 9:45 a.M. County Office Building, 111 W Chan-aposite Avenue, Towars, Maryland Being the property of Jack Carvel Henry, Sr., et us, as shown on plat plan filed with the Zotung Office.

in the event that this Poblich(s) is graced, a leading permit may be seved within the thirty (30) day appeal paint. The Zoung Committee soner we, however, entertain any request for a stay of the sesuance of said permit during this period for

date of the hearing sal above or made at the hearing.

\$1473-L96925 Oct. 29

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 29 19 86

TOWSON TIMES,

TOWSON, MD., \_\_\_\_\_Qctober\_29\_\_\_\_, 19\_86

38.25